IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:24-cv-00154-MOC-WCM

HEATHER MICHELLE RIDDLE as lawful guardian ad litem of Minor Child W. E. R.,)))	
Plaintiff,)))))) ORDER
v.)	
NEIL ROGERS)	
Defendant.)	

This matter is before the Court on Defendant's Motion to Dismiss Plaintiff's Complaint (the "Motion to Dismiss," Doc. 2).

On June 11, 2024, Plaintiff was granted leave to file an Amended Complaint.

Plaintiff filed that pleading on June 14, 2024. Doc. 8.

"The general rule ... is that an amended pleading supersedes the original pleading, rendering the original pleading of no effect." Young v. City of Mount Ranier, 238 F.3d 567, 573 (4th Cir. 2001); see also Fawzy v. Wauquiez Boats SNC, 873 F.3d 451, 455 (4th Cir. 2017) ("Because a properly filed amended complaint supersedes the original one and becomes the operative complaint in the case, it renders the original complaint 'of no effect."); Colin v. Marconi Commerce Systems Employees' Retirement Plan, 335 F.Supp.2d 590, 614

(M.D.N.C. 2004) ("Earlier motions made by Defendants were filed prior to and have been rendered moot by Plaintiffs' filing of the Second Amended Complaint"); Ledford v. Eastern Band of Cherokee Indians, No. 1:20-CV-005-MR-DCK, 2020 WL 1042235 at 1 (W.D.N.C. March 3, 2020) ("It is well settled that a timely-filed amended pleading supersedes the original pleading, and that motions directed at superseded pleadings may be denied as moot").

IT IS THEREFORE ORDERED that the Motion to Dismiss (Doc. 2) is DENIED AS MOOT AS A MATTER OF LAW.

Signed: June 18, 2024

W. Carleton Metcalf

United States Magistrate Judge